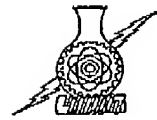


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ATTN: Jonathon A. Szumny

FROM : Joseph P. Carrier

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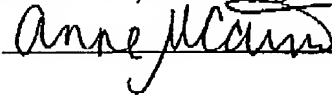
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Attorney Docket No. SSK-102-A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Sung Kuk Soh, PhD  
Serial Number: 10/797,337  
Filed: March 10, 2004  
Group Art Unit: 3632  
Confirmation No. 4305  
Examiner: Jonathon A. Szumny  
Title: **HEIGHT ADJUSTABLE SUPPORT FOR FURNITURE**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner For Patents  
P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement in the Office Action of June 14, 2004, applicant submits the following response:

**REMARKS**

Claims 1-16 have been placed under a restriction requirement under MPEP 803 and 35 U.S.C. 121 in the above-identified Office Action.

**SUMMARY OF THE EXAMINER'S POSITION**

Specifically, the Examiner has identified the following inventions:

- I. The support apparatus of Figure(s): 1a, 1b, 2a, 2b, 3a, 3b, 3c;
- II. The support apparatus of Figure(s): 4a, 4b;
- III. The support apparatus of Figure(s): 5a, 5b;
- IV. The support apparatus of Figure(s): 6a, 6b, 7, 8a, 8b;
- V. The support apparatus of Figure(s): 9a, 9b, 10, 11;
- VI. The support apparatus of Figure(s): 12, 13, 14, 15a-15f.

The Examiner has required restriction to one of the identified species for examination.

DISCUSSION

Applicant respectfully traverses the restriction requirement in the above-identified Office Action, and requests reconsideration and withdrawal thereof. Applicant respectfully suggests that the depicted species are all drawn to a single inventive concept within the meaning of 37 C.F.R. 1.141(b), and should not be subject to restriction.

Even if the Examiner remains convinced that the depicted species are not all drawn to a single inventive concept, applicant respectfully suggests that all of the depicted species are drawn to closely associated inventions.

Moreover, applicant respectfully points out that MPEP section 803 states that

**"if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."**

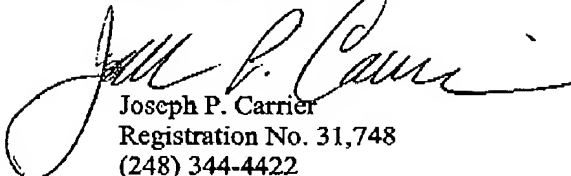
Applicant respectfully suggests that the examination of the entire application would not place a serious burden on the Examiner. Applicant therefore respectfully respects reconsideration and withdrawal of the restriction requirement.

However, notwithstanding the above, and in order to comply with Patent Office requirements, applicant elects, with traverse, the group identified by the Examiner as Invention IV.

It is applicant's understanding and belief that the subject matter of Claims 1-6, and 9-16.

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Respectfully submitted,

  
Joseph P. Carrier  
Registration No. 31,748  
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July 12, 2004

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